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Attorney for Objector
Anne L. Card

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CARRIE COUSER, individually and on behalf of all other similarly situated,

Case No.: 12-cv-02484-MMA-BGS

CLASS ACTION

**NOTICE OF WITHDRAWAL OF
OBJECTIONS BY ANNE L. CARD
TO PROPOSED CLASS ACTION
SETTLEMENT**

Plaintiffs,

VS.

COMENITY BANK and DOES 1 through 10, inclusive, and each of them,

Defendants.

The Hon. Michael M. Anello

Objector Anne L. Card, by and through her undersigned counsel, pursuant to Fed. R. Civ. P. 23(e)(5), moves this Court to approve the withdrawal of her objection (Document No. 71) based on the following facts:

1. Anne L. Card made the objections in good faith based on the information in the notice of settlement.

2. Counsel for Objector/movant has conferred with Class Counsel and Counsel for Defendant Comenity Bank regarding the settlement and withdrawal of

1 the objections.

2 3. On March 2, 2015, Objector/movant Anne L. Card and Defendant
3 Comenity Bank participated in a mediation session before the Honorable Herbert
4 B. Hoffman.

5 4. Counsel for Objector/movant engaged in the mediation in order to
6 investigate the subject matter of the objections. As a result of such mediation,
7 Objector/movant Anne L. Card has agreed to withdraw her objections and
8 Defendant Comenity Bank has agreed to allow Objector/movant Anne L. Card to
9 opt out and be excluded from the above-entitled action and the proposed class
10 action settlement.

11 5. Concurrently with the approval of Objector/movant Anne L. Card's
12 withdrawal of her objections, Objector/movant Anne L. Card will submit to the
13 Claims Administrator a written Notice of Election to be Excluded from the above-
14 entitled action and the proposed class action settlement.

15 6. The agreement reached at mediation resulted from good faith arm's
16 length settlement negotiations and reflects a negotiated compromise executed for
17 the purpose of resolving the dispute between the Parties, and is not intended and
18 may not be construed as an admission of any fact, claim or defense asserted in the
19 above-entitled action.

20 7. Therefore, Anne L. Card withdraws her objections to the settlement
21 in this matter and requests Court approval for the withdrawal of his objections.
22

23 DATED: March 13, 2015

KRON AND CARD LLP

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By: /s/ Scott A. Kron
SCOTT A. KRON, ESQ.
Attorney for Objector
Anne L. Card

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SOUTHERN DISTRICT OF CALIFORNIA

CARRIE COUSER, individually and on behalf of all other similarly situated,

Case No.: 12-cv-02484-MMA-BGS

CERTIFICATE OF SERVICE

Plaintiffs,

VS.

COMENITY BANK and DOES 1 through 10, inclusive, and each of them,

Defendants.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that March 13, 2015, I caused the foregoing Notice of
3 Withdrawal of Objections by Anne L. Card to Proposed Class Action Settlement
4 to be filed with the Clerk of the Court and to be served upon all counsel of record
5 in this action using the United States District Court for the Southern District of
6 California Electronic Case Filing (“EFC”) System.

7 The document is available for reviewing and downloading from the ECF
8 System.

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11 /s/ Scott A. Kron
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13 Scott A. Kron, Esq.
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